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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,144	01/31/2002	Michael W. Wallace	3301-11	3557
7590	05/20/2005		EXAMINER	
MARGER JOHNSON & McCOLLOM, P.C. 1030 S.W. Morrison Street Portland, OR 97205			PILLAI, NAMITHA	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/066,144	WALLACE ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Namitha Pillai	2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 January 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

1. Claims 1-23 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by “Browsing Digital Video” (Li et al.), herein referred to as Li.

Referring to claims 1 and 19, Li discloses in connection with a video display system capable of displaying a sequence of video segments (page 2, column 1, lines 4-6). Li discloses a method for displaying a plurality of control objects associated with the video segments on a display screen (Figure 1). Li discloses displaying a first control object, associated with the displayed first video segment, on the display screen in a focus position simultaneous with the display of a first video segment on the display screen (Figure 1). Li discloses displaying a second control object, associated with a second video segment, adjacent to the focus position and moving the second control object to the focus position, and the first control object out of the focus position, in substantial synchronicity with a transition between the display of the first video segment and the second video segment on the display screen (page 3, Figure 1 and column 1, lines 1-10).

Referring to claims 2 and 11, Li discloses displaying a third control object adjacent to the focus position, whereby the focus position is interposed between the second control object and the third control object (Figure 1), wherein Li discloses a means for the user to move forward or

“jump-next” to the next control object as displayed in Figure 1, wherein a first, second and third control objects are displayed.

Referring to claim 3, Li discloses scrolling among the plurality of control objects based on input from a user of the video display system, accepting the selection of one of the plurality of control objects based on input from a user of the video display system and displaying a video segment associated with the selected control object (page 2, column 2, lines 50-52, page 3, Figure 1 and column 1, lines 1-3).

Referring to claim 4, Li discloses displaying a focus frame within the focus position, to supply a visual indication of user control of the first control object and moving the focus frame under user control to the second control object (page 2, column 2, lines 50-52, page 3, Figure 1 and column 1, lines 1-3).

Referring to claims 5 and 14, Li discloses that the first and second control objects including displayed therein visual annotation corresponding to the content of the video segments associated with the control objects (page 2, column 2, lines 39-49).

Referring to claims 6 and 15, Li discloses that the first, second, and third objects correspond to current, future, and past segments respectively within a default video sequence (page 3, Figure 1 and column 1, lines 1-6).

Referring to claim 7, Li discloses simultaneously moving the third object off of the display screen, and a fourth object onto the display screen simultaneous with the movement of the first object out of the focus position and the second object into the focus position so that the end position results in the focus position being interposed between the first control object and the fourth control object (Figure 1, page 3, lines 1-10 and page 6, column 1, lines 18-21).

Referring to claim 8, Li discloses displaying at the second control object a plurality of subobjects, each corresponding to a respective video segment, to provide a selectable branching pathway from the video segment associated with the first control object (page 6, column 1, lines 13-21).

Referring to claims 9, 17 and 23, Li discloses the absence of input from a user of the video display system, moving the preselected one of the second control subobjects to the focus position, and the first control object out of the focus position, at the end of the display of the first video segment (page 3, Figure 1 and column 1, lines 1-4).

Referring to claim 10, Li discloses a system, in connection with a video display system, for displaying a plurality of control objects simultaneous with associated video segments on a display screen (page 3, Figure 1). Li discloses displaying a first control object, associated with the displayed first video segment, on the display screen in a focus position simultaneous with the display of a first video segment on the display screen (Figure 1). Li discloses displaying a second control object, associated with a second video segment, adjacent to the focus position and moving the second control object to the focus position, and the first control object out of the focus position, in substantial synchronicity with a transition between the display of the first video segment and the second video segment on the display screen (page 3, Figure 1 and column 1, lines 1-10).

Referring to claim 12, Li discloses that the plurality of control objects can be scrolled based on input from a user of the video display system and wherein one of the plurality of objects can be selected based on input from a user of the video control system to thereby cause the selected object to move to the focus position on the display screen in

substantial synchronicity with a start of the display of the video segment associated with the selected object (page 2, column 2, lines 50-52, page 3, Figure 1 and column 1, lines 1-3).

Referring to claim 13, Li discloses a focus frame moveable between the plurality of objects based on input from the user of the video display system (page 3, Figure 1 and column 1, lines 1-3).

Referring to claims 16 and 22, Li discloses a plurality of subobjects located in place of the second object, each corresponding to a respective video segment, to provide a selectable branching pathway from the video segment associated with the first control object (page 3, Figure 1).

Referring to claim 18, Li discloses that the video segments are displayed where the video frame is spaced from the focus position (page 3, Figure 1).

Referring to claim 20, Li discloses displaying a third control object, associated with a third video segment, adjacent to the focus position, whereby the focus position is interposed between the second control object and the third control object (Figure 1), wherein Li discloses a means for the user to move forward or “jump-next” to the next control object as displayed in Figure 1, wherein a first, second and third control objects are displayed. Li discloses simultaneously moving the third object off of the display screen, and a fourth object onto the display screen simultaneous with the movement of the first object out of the focus position and the second object into the focus position so that the end position results in the focus position being interposed between the first control object and the fourth control object (Figure 1, page 3, lines 1-10 and page 6, column 1, lines 18-21).

Referring to claim 21, Li discloses displaying a video segment associated with the control object located in the focus position within a video frame on the display screen, wherein the video frame is non-overlapped with the focus position (page 3, Figure 1).

***Response to Arguments***

2. Applicant's arguments filed 1/12/05 have been fully considered but they are not persuasive.

With respect to Applicant's arguments that Li does not disclose a focus position for a first control object. Inspection of Figure 1 of Li indicates that the focus position is indicated in the "Shot boundary frames" section, wherein the current shot that is being displayed simultaneously with the video being displayed is the frame that is highlighted or "in focus". The focus position of Li represents the video frame that is highlighted, wherein the contents of this frame is also simultaneously played in the main video display window of Figure 1 of Li.

With respect to Applicant's arguments that Li does not disclose moving the second control object to the focus position and the first control object out of the focus position. Li discloses traversing the shot boundary frames, wherein this traversing allows the highlighted frame to be the next frame adjacent to the current highlighted frame, wherein the second control object in focus would be the next frame that is traversed to by the user.

***Conclusion***

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, central FAX number (703) 872-9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed. Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached on 8:30 AM - 5:30 PM.

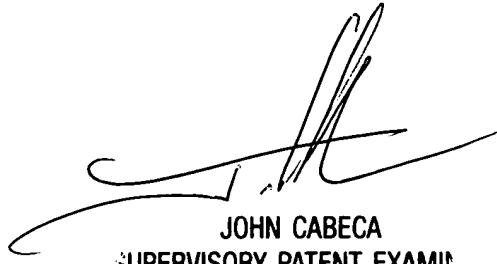
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly

set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai  
Assistant Examiner  
Art Unit 2173  
May 11, 2005



JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 21